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SENATE BILL 1080 By
Burks

HOUSE BILL 1133
By McMillan

AN ACT to amend Tennessee Code Annotated, Section 36-3-604,
relative to the promulgation of forms for orders of
protection.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-3-604, is amended by deleting the
section in its entirety and substituting instead the following:

(a) The office of the clerk of court shall provide forms which may be necessary to
seek a protection order under this part. These forms shall be limited to use in causes
filed under this part and they shall be made available to all who request assistance in
filing a petition. The petitioner is not limited to the use of these forms and may present to
the court any legally sufficient petition in whatever form. The office of the clerk shall also
assist a person who is not represented by counsel by filling in the name of the court on
the petition, by indicating where the petitioner's name shall be filled in, by reading
through the petition form with the petitioner, and by rendering any other such assistance
as is necessary for the filing of the petition. All such petitions which are filed pro se shall
be liberally construed in favor of the petitioner.

(b) The forms to be made available by the office of the clerk shall be the forms promulgated by the Supreme Court as a Supreme Court rule. The court shall consult with the Domestic Violence Coordinating Council to develop a "Petition for Orders of Protection" form, an "Amended Order of Protection" form, an "Ex Parte Order of Protection" form and such other forms as are found to be necessary and advisable. To the extent possible, the forms shall be uniform with those promulgated by surrounding states so that Tennessee forms may better be afforded full faith and credit nationwide.

SECTION 2. For purposes of the Supreme Court consulting and promulgating the specified forms, this act shall take effect upon becoming a law, the public welfare requiring it. Any forms so promulgated shall take effect as provided in the Supreme Court rule.